

Peninsula Grammar School

Child Safety Reporting Procedure

1. Introduction

Peninsula Grammar School (the **school** or **PGS**) is a child safe organisation which welcomes all children, young people and their families. The school has a zero tolerance for child abuse and are committed to act in children's best interests and keep them safe from harm. The school recognise this to be a community-wide responsibility.

2. Purpose

This procedure sets outlines how the school and its mandatory reporters will fulfil their reporting obligations pursuant to the *Child, Youth and Families Act 2005 (Vic)* and reportable conduct obligations pursuant to the *Child Wellbeing and Safety Act 2005 (Vic)*.

3. Scope

This procedure applies to:

- Mandatory reporters, which include the Principal, registered teachers, early childcare workers, registered medical practitioners, nurses, registered psychologists, school counsellors, people of religious ministry and all members of the police force are mandatory reporters under the *Child, Youth and Families Act 2005 (Vic)*
- all school staff, volunteers, contractors and visitors, whether or not they work in direct contact with children at the school
- all physical and online school environments used by students during or outside of school hours, including other locations provided by for a student's use (e.g. school camp) and those provided through third-party providers and
- the school's boarding premises and boarding environments.

4. Mandatory reporting legislation

4.1 Mandatory reporting

Where a mandatory reporter, in the course of carrying out their duties, forms a reasonable belief that a child needs protection from physical harm or sexual abuse, and that the child's parents are unwilling or unable to protect the child, they must report that belief to the Department of Families, Fairness and Housing (DFFH), Child Protection Division as soon as possible after forming the belief.

In addition to the above requirement, it is expected that all mandatory reporters alert a member of the Senior Executive and the Head of Wellbeing.

If a mandatory reporter becomes aware of further information that is relevant to their belief that a child is at risk following an initial report, the mandatory reporter must make an additional report for every occasion.

A '*reasonable belief*' is a deliberately low threshold. It is more than mere rumour or speculation but may be less than having proof. The mandatory reporter must assess whether, if provided with the same information, a reasonable person would form a belief the child is at risk.

A mandatory reporter who fails to comply with this legal obligation may be committing a criminal offence. It is important for all school staff to be aware that they are legally obliged to make a mandatory report on each occasion that they form a reasonable belief that a child is in need of protection and they must make a mandatory report, even if the Principal does not share their belief that a report is necessary.

The school mandates all staff undertake annual training, currently referred to as the *Mandatory Reporting and Other Obligations eLearning Module*.

4.2 Child in need of protection

Any person can make a report to DFFH Child Protection if they believe on reasonable grounds that a child is in need of protection. Any School staff who forms a reasonable belief that a child is in need of protection should report their concerns to the DFFH or Victoria Police and discuss their concerns with a member of the Senior Executive.

The school encourages staff to make a referral to the [Orange Door](#) when they have significant concern for a child's wellbeing.

5. Criminal offences – Failure to disclose, failure to protect and grooming offences

5.1 Failure to disclose offence

All persons aged 18 years and over, not just professionals who work with children, have a legal obligation to report to Victoria Police, as soon as practicable, where they form a '*reasonable belief*' that a sexual offence has been committed by an adult against a child under the age of 16 by another person aged 18 years or over.

Failure to disclose information to Victoria Police (by calling 000 or local police station) as soon as practicable may amount to a criminal offence unless a person has a '*reasonable excuse*' or exemption from doing so.

'*Reasonable excuse*' is defined by law and includes:

- fear for the safety of any person including yourself or the potential victim (but not including the alleged perpetrator or an organisation) and/or
- where the information has already been disclosed, for example, through a mandatory report to DFFH Child Protection Division.

'*Reasonable belief*' is not the same as having proof. A '*reasonable belief*' is formed if a reasonable person in the same position would have formed the belief on the same grounds.

For example, a '*reasonable belief*' might be formed when:

- a child states that they have been sexually abused
- a child states that they know someone who has been sexually abused (sometimes the child may be talking about themselves)
- someone who knows a child states that the child has been sexually abused
- professional observations of the child's behaviour or development lead a mandated professional to form a belief that the child has been sexually abused and/or
- signs of sexual abuse lead to a belief that the child has been sexually abused.

5.2 Failure to protect

This reporting obligation applies to school staff in a position of authority. This can include Principals, members of the Senior Executive and School Executive. Any staff member in a position of authority who becomes aware that an adult associated with their school (such as an employee, contractor, volunteer or visitor) poses a risk of sexual abuse to a child under the age of 16 under their care,

authority or supervision, must take all reasonable steps to remove or reduce that risk. Failure to take reasonable steps in these circumstances, this may amount to a criminal offence.

This may include removing the adult (i.e. persons aged 18 years and over) from working with children pending an investigation and reporting your concerns to Victoria Police.

5.3 Grooming

Grooming is a criminal offence under the *Crimes Act 1958* (Vic). This offence targets predatory conduct undertaken by an adult to prepare a child, under the age of 16, to engage in sexual activity at a later time.

Grooming can include communicating and/or attempting to befriend or establish a relationship or other emotional connection with the child or their parent/carer.

6. Reportable Conduct Scheme

The school must notify, investigate and report to the Commission for Children and Young People (the Commission) if it becomes aware of an allegation of 'reportable conduct'. There is an allegation of reportable conduct where a person has formed a reasonable belief that there has been:

- a sexual offence (even prior to criminal proceedings commencing), sexual misconduct or physical violence committed against, with or in the presence of a child
- sexual misconduct committed, with or in the presence of a child
- behaviour causing significant emotional or physical harm to a child
- significant neglect of a child or
- misconduct involving any of the above.

"Sexual misconduct", includes behaviour, physical contact or speech or other communication of a sexual nature, including but not limited to 'sexting'; inappropriate touching or physical contact, grooming behaviour and voyeurism.

"Sexual offence" for the purposes of the Reportable Conduct Scheme means a serious sexual offence as set out in clause 1 of Schedule 1 of the *Sentencing Act 1991* (Vic), which includes rape, attempted rape, sexual assault, incest, indecent act with a child, persistent sexual abuse of a child, grooming and the production or possession of child pornography.

"Significant" means in relation to emotional or psychological harm or neglect, that the harm is more than trivial or insignificant, but need not be as high as serious and need not have a lasting permanent effect.

The threshold for reporting allegations of reportable conduct is a '*reasonable belief*'. There must be some objective basis for the belief, however, it is not the same as proof.

Where a reasonable belief is formed, the school must notify the Commission. It is the school's policy that notification be made by the Principal and/or their delegates.

Where there is an allegation of criminal conduct, including physical violence, significant emotional or psychological abuse, sexual offences and significant neglect, this must be reported to the Victorian Police as the first priority.

7. Child Safety Reporting Procedures

7.1 For students

- All students should feel safe to speak to any staff member to raise any concerns about their safety or any other concerns that they have
- If a student does not know who to approach at School, they should start with their Mentor or their Head of Year.

7.2 Managing disclosures made by students

When managing a disclosure, **DO**:

- listen to the child and allow them to speak
- stay calm and use a neutral tone with no urgency and where possible use the child's language and vocabulary (you do not want to frighten the child or interrupt the child)
- be gentle, patient and non-judgmental throughout
- highlight to the child it was important for them to tell you about what has happened
- assure them that they are not to blame for what has occurred
- do not ask leading questions, for example gently ask, "What happened next?" rather than "Why?"
- be patient and allow the child to talk at their own pace and in their own words
- do not pressure the child into telling you more than they want to, they will be asked a lot of questions by other professionals and it is important not to force them to retell what has occurred multiple times
- reassure the child you believe them and that disclosing the matter was important for them to do
- use verbal facilitators such as, "I see", restate the child's previous statement, and use nonsuggestive words of encouragement, designed to keep the child talking in an open-ended way ("what happened next?")
- tell the child in age-appropriate language that you are required to report to the relevant authority to help stop the abuse, and explain the role of these authorities if appropriate (for a young child this may be as simple as saying "I need to talk to people to work out what to do next to help you").

When managing a disclosure **DO NOT**:

- display expressions of panic or shock
- ask questions that are investigative and potentially invasive (this may make the child feel uncomfortable and may cause the child to withdraw)
- go over the information repeatedly (you are only gathering information to help you form a belief on reasonable grounds that you need to make a report to the relevant authority)
- make any comments that would lead the student to believe that what has happened is their fault
- make promises to the child about what will occur next or that things will be different given the process can be unpredictable and different for each child depending on their circumstances (instead reassure them that you and others will do your best to help).

7.3 General procedures

The school will follow the [*Four Critical Actions for Schools: Responding to Incidents, Disclosures and Suspicions of Child Abuse*](#) (the **Four Critical Actions**) when responding to incidents, disclosures and suspicions of child abuse.

School staff who believe a child is at risk of abuse or in need of protection, even if the matter does not meet the threshold required for mandatory reporting or the staff member is not a mandatory reporter,

should in the first instance, speak to a member of the Senior Executive or should make the required reports to DFFH Child Protection and/or Victoria Police as necessary.

7.4 Reporting suspicions, disclosures or incidents of child abuse

Responsibilities of all school staff:

If a staff member reasonably suspects or witnesses an incident of child abuse or receives a disclosure of child abuse, they must:

- If a child is at immediate risk of harm, separate alleged victims and others involved, administer first aid and call 000.
- Speak to a member of the Senior Executive as soon as possible, who will follow the [Four Critical Actions](#).
- Make detailed notes of the incident or disclosure and ensure that those notes are kept and stored securely in the students' locked file.
- If the staff member is a mandatory reporter and reasonably believes that a student has suffered physical and/or sexual abuse from which the child's parents have not protected the child, they must ensure that a report to DFFH Child Protection or Victoria Police has been made by a member of the Senior Executive. If the report has not been made by another staff member, the mandatory reporter must make the report.
- If the staff member has formed a 'reasonable belief' that a sexual offence has been committed by an adult against a child, they must ensure that a report to Victoria Police has been made by a member of the Senior Executive. If the report has not been made by another staff member, the staff member must make the report.

In circumstances where a member of the leadership team disagrees that a report needs to be made, but the staff member has formed a 'reasonable belief' that the child is in need of protection and/or has been the victim of sexual abuse, the staff member must still contact DFFH Child Protection and/or Victoria Police to make the report.

8. Management responsibilities

The Principal is responsible for promptly managing the school's response to an incident, suspicion or disclosure of child abuse, and ensuring that the incident, suspicion or disclosure is taken seriously. The Principal is also responsible for responding appropriately to a child who makes or is affected by an allegation of child abuse.

If a member of the Senior Executive receives a report from a member of staff or School community of a suspicion, disclosure or incident of child abuse, they must:

- Follow the [Four Critical Actions](#) as soon as possible, including:
 - Responding to an emergency
 - Reporting to authorities/referring to services
 - Contacting parents/carers and
 - Providing ongoing support.
- Make detailed notes of the incident or disclosure, including actions taken and ensure that those notes are kept and stored securely in the student's locked file. They are also responsible for ensuring that any staff member who reported the incident, disclosure or suspicion to them also makes and keeps notes of the incident.

The Principal is responsible for ensuring that there is a prompt response to the disclosure and that the child is appropriately supported. If the Principal/other nominated staff member responsible above is unavailable, the Head of School or, in their absence the Mentor, will take on the role and responsibilities described in this section.

9. Duty of care and ongoing support for students

All staff have a duty of care to take reasonable steps to prevent reasonably foreseeable harm to students. Staff must make a member of Senior Executive or other appropriate staff member is aware of any incidents, suspicions or disclosures of child abuse as soon as possible after they occur to allow appropriate supports to be put in place for the student affected.

10. Contractors, visitors, volunteers and school community member obligations

All community members aged 18 years or over should be aware of their legal obligations – see Failure to disclose offence above, in this policy. Any person can make a report to DFFH Child Protection if they believe on reasonable grounds that a child is in need of protection.

There is no requirement for community members to inform the school if they are making a disclosure to DFFH Child Protection or the Victoria Police. However, where a community member, including contractors, volunteers and visitors are concerned about the safety of a child or children at the school, and where disclosure of that concern will not compromise any potential police investigation, the community member should report this concern to the principal so that appropriate steps to support the student can be taken.

11. Review

The school will review and update this procedure to ensure compliance with legislative requirements or every two years, whichever comes first.

12. Further information

Questions or information about this procedure should be directed to the Executive Deputy Principal.

13. Relevant references and documents

Ministerial Order No. 1359
Child Wellbeing and Safety Act 2005
Child, Youth and Families Act 2005 (Vic)
Education and Training Reform Act 2006 and Regulations 2017
Family Violence Prevention Act 2008
Crimes Act 1958 (Vic)
Peninsula Grammar School - Child Safety and Wellbeing Policy
Peninsula Grammar School - Child Safe Code of Conduct
Peninsula Grammar School – Staff and Student Professional Boundaries Policy

Document Control

Document Name	PGS Child Safety Reporting Procedure			
Version	2 – 2025.7			
Authorised Date	30/07/2025			
Review by	30/06/2027			
Document Type	<input type="checkbox"/> Policy	<input checked="" type="checkbox"/> Procedure	<input type="checkbox"/> Other	
Document Scope	<input checked="" type="checkbox"/> Staff	<input checked="" type="checkbox"/> Student	<input checked="" type="checkbox"/> Parent/Community	
Document Authoriser	Principal			
Document Owner	Chief Operating Officer			
Implementation	Senior Executive			
Data classification	<input checked="" type="checkbox"/> Internal	<input type="checkbox"/> Public	<input type="checkbox"/> Confidential	<input type="checkbox"/> Other
Access	<input checked="" type="checkbox"/> Staff	<input type="checkbox"/> Student	<input type="checkbox"/> Parent/Community	<input type="checkbox"/> Public
Published Location(s)	<input checked="" type="checkbox"/> Operational	<input checked="" type="checkbox"/> Zenith	<input type="checkbox"/> Website	<input type="checkbox"/> Other